AO 91 (Rev 8/01) Criminal Complaint

United States District Court

SOUTHERN DISTRICT OF **TEXAS**

MCALLEN DIVISION

UNITED STATES OF AMERICA
V.

Demencio Venecia *PRINCIPAL*
YOB: 1982
United States Citizen

(Name and Address of Defendant)

United States District Court
Southern District of Texas
FILED
NOV 04 2016
Clerk of Court

CRIMINAL COMPLAINT

Case Number:

M-16-2039-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **November 3, 2016** in **Starr** County, in the Southern District of Texas defendants(s) did,
(*Track Statutory Language of Offense*)

knowing or in reckless disregard of the fact that Lorena Del Carmen Canas-Montoya and Tania Marcela Chavez-Cabrera, citizens and nationals of El Salvador, along with six (6) other undocumented aliens, for a total of eight (8), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Grulla, Texas, to the point of arrest near La Grulla, Texas,

in violation of Title **8** United States Code, Section(s) **1324(a)(1)(A)(ii) FELONY**
I further state that I am a(n) **U.S. Senior Border Patrol Agent** and that this complaint is based on the following facts:

On November 3, 2016, at approximately 9:30 a.m., information was received from a concerned citizen of possible alien smuggling activity near La Grulla, Texas. The concerned citizen advised that a brown pickup truck was currently picking up people near Lazaro Solis Street and El Sol Drive in La Grulla, Texas.

Border Patrol Agent R. Rodriguez was just south of the area where the concerned citizen reported seeing the vehicle loading up. Agent Rodriguez acknowledged the information provided to him and drove towards the area. As soon as Agent Rodriguez got to the area, he observed a pickup truck that matched the description of the vehicle that the concerned citizen reported. Before he had a chance to activate his emergency equipment to conduct a traffic stop the vehicle came to a stop. Agent Rodriguez approached the vehicle and saw multiple subjects lying down in the bed of the truck and additional subjects in the cab of the truck sitting next to the driver.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint: [X] Yes [ ] No

OK to file. TN

Signature of Complainant

Adan De Los Santos III Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

November 4, 2016 at **McAllen, Texas**
Date City and State

Guillermo R. Garcia **U. S. Magistrate Judge**
Name and Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-2039-M

RE: Demencio Venecia

CONTINUATION:

Agent Rodriguez identified himself as a U.S. Border Patrol Agent and advised the driver to turn off the vehicle and drop the keys on the ground. Agent Rodriguez placed the driver under arrest. The driver was later identified as Demencio Venecia a United States Citizen.

Agent Rodriguez then proceeded to conduct an Immigration Inspection on all individuals in the vehicle. After questioning all the subjects, it was determined that, all five passengers of the pickup truck were undocumented aliens that had just illegally crossed the Rio Grande River by raft. Additional Agents arrived on scene and conducted a search of the immediate area and encountered three additional subjects that were hiding in the nearby brush. All subjects were transported to the Border Patrol Station for further processing.

PRINCIPAL STATEMENT:
VENECIA-Demencio a United States Citizen was read his Miranda rights. Venecia stated he understood his rights and agreed to provide a statement without an attorney present.

Venecia stated he was contacted by a male subject from Mexico and asked to pick up ten illegal aliens. Venecia stated he knew the subjects that he was going to pick up were in fact illegal aliens and that he has been transporting illegal aliens for about four years now. Venecia was to transport the illegal aliens to a nearby Carwash and was to be paid $4,500 USD. Once he picked up the illegal aliens, Venecia stated he told them to get into his vehicle.

MATERIAL WITNESS STATEMENT #1:

Lorena Del Carmen Canas-Montoya a citizen and national of El Salvador was read her Miranda Rights. Canas stated she understood her rights and agreed to provide a statement without an attorney present.

Canas stated she illegally crossed into the United States on November 3, 2016, near Rio Grande City, Texas. Canas claimed that she was to pay a total of $8,000 USD once she arrived at her final destination which was Boston, Massachusetts. After crossing the Rio Grande River, the foot guide advised her that the driver that was to pick her up was going to whistle twice. Once canas arrived at the pick-up location, the driver of the vehicle whistled twice and she got into the vehicle. Canas futher stated that she sat next to the driver and that three other subjects jumped into the bed of the truck. Canas stated that moments later they stopped near a car wash and were arrested.

Canas identified Demencio Venecia through a photo lineup as the driver of the truck.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-16-2039-M

RE: Demencio Venecia A209 850 784

CONTINUATION:

MATERIAL WITNESS STATEMENT #2:

Tania Marcela Chavez-Cabrera a citizen and national of El Salvador was read her Miranda Rights. Chavez stated she understood her rights and agreed to provide a statement without an attorney present.

Chavez stated she illegally crossed into the United States on November 3, 2016, near Rio Grande City, Texas. Chavez claims she was to pay an unknown amount of money, once she arrived in Los Angeles. Chavez further stated that after she crossed the Rio Grande River she ran across a field towards a house. Once she arrived at the street near the house, she stated that she was told to listen for a whistle from the driver. After hearing the whistle, Chavez got into the truck and was told by the driver to sit in the front. Chaves stated that moments later she was arrested at a car wash.

Chavez identified Demencio Venecia through a photo lineup as the driver of the truck.